



William M. Lee, Jr.
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson
P.O. Box 2786
Chicago, IL 60690-2786

In re Application of	:	
RUSHBROOKE, et al.	:	
U.S. Application No.: 10/018,387	:	DECISION ON PAPERS
PCT No.: PCT/GB00/01576	:	
Int. Filing Date: 20 April 2000	:	UNDER 37 CFR 1.43
Priority Date: 26 June 1999	:	
Attorney's Docket No.: 602-1551	:	
For: MICROPLATE READER	:	

This decision is in response to applicant's "Response to Communication From PCT Legal Office Dated April 16, 2002" filed 05 June 2002 in the United States Patent and Trademark Office (USPTO) which are being treated as a request for acknowledgment of status under 37 CFR 1.43.

BACKGROUND

On 16 April 2002, applicant was mailed a communication informing applicant that the combined declaration and power of attorney filed on 13 December 2001 did not comply with 37 CFR 1.497 (a)-(b). Specifically, the first named inventor, John Gordan RUSHBROOKE, did execute the filed declaration. Applicant was afforded two months to file a reply.

On 05 June 2002, applicant filed the present papers which included a newly executed declaration executed by Claire HOOPER as joint inventor and as the legal representative to the second joint inventor, John RUSHBROOKE.

DISCUSSION

Pursuant to 37 CFR 1.43:

"In case where an inventor is insane or otherwise legally incapacitated, the legal representative (guardian, conservator, etc.) of such inventor may make the necessary oath or declaration, and apply for and obtain the patent."

The filed declaration is executed by Claire HOOPER as the legal representative to the second joint inventor, John RUSHBROOKE. As evident by page 4 of the declaration, the information under the signature line for inventor RUSHBROOKE sets forth the residence, post office address and country of citizenship for Claire HOOPER but not John RUSHBROOKE as required under 37 CFR 1.497 and 1.63. This information must be provided for John

RUSHBROOKE.

CONCLUSION

Applicant's request under 37 CFR 1.43 is **DISMISSED, without prejudice.**

Applicants are hereby afforded **TWO (2) MONTHS** from the mail date of this decision to file an oath or declaration in compliance with 37 CFR 1.497 (a)-(b). Any reconsideration request should include a cover letter entitled, "Renewed Request Under 37 CFR 1.43." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter directed to the attention of the PCT Legal Office.



Boris Milef
Legal Examiner
PCT Legal Office



Derek A. Putonen
Petitions Attorney
PCT Legal Office
Tel: (703) 305-0130
Fax: (703) 308-6459